

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.10.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.30539 of 2019

S.Ramakrishnan

.. Petitioner

Vs.

1.The Chief Executive,
Perambalur Sugar Mills,
Eriyur, Perambalur District - 621 333.

2. The Government of Tamil Nadu,
rep.by Principal Secretary to Government,
Industries (MIC.2) Department,
Secretariat, Chennai - 600 009. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First Respondent to pass orders on the representation dated 29.07.2019 of the Petitioner by disbursing a sum of Rs.1,34,053/- with interest @ 12% per annum towards arrears of VI Pay commission financial benefits to the Petitioner within the time limit Stipulated by this Court.

For Petitioner : Ms.S.Rajeni Ramadass
For R1 : Mr.R.Bala Ramesh
Special Government Pleader
For R2 : Mr.D.Venkatachalam
Additional Government Pleader

O R D E R

This Writ Petition is filed for a Writ of Mandamus, directing the first respondent to pass orders on the representation dated 29.07.2019 of the petitioner by disbursing a sum of Rs.1,34,053/- with interest @ 12% per annum towards arrears of VI Pay commission financial benefits to the Petitioner within the time limit.

2. By consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that the petitioner worked as Senior Manager in the Perambalur Co.operative Sugar Mills and retired from service on 30.06.1998 on attaining age of

superannuation. After his retirement, the Government ordered revision of pay scales of the erstwhile common cadre officers in the Public Sector and Co-operative Sugar Mills through G.O.Ms.No.302 (Industries MIC 2) Department dated 25.08.2000. According to the said Government Order, the revision shall take effect from 01.01.1996 with monetary benefits from 01.01.1999. Therefore impliedly the officers who retired from 01.01.1996 to 31.12.1998 were not entitled to any monetary benefits under the said Government Order. Aggrieved by the same, the petitioner and three other similarly placed employees filed a Writ Petition in W.P.No.18383 of 2001 before this Court and this Court by the order dated 21.10.2011 disposed off the said Writ Petition stating that the petitioners therein are entitled to revision of pay scale as per G.O.Ms.No.302 dated 25.08.2000 on and from 01.01.1996 and they are entitled to calculate the retirement benefits like gratuity, leave salary, etc., on the basis of their revised pay scale on and from 01.01.1996 and the monetary benefits are to be calculated accordingly i.e., gratuity, leave salary, etc., are to be paid to these petitioners. As per the 6th pay commission, the financial benefits to be paid to the petitioner by the first respondent is to the tune of Rs.1,34,053/-. Accordingly, in order to avail such benefit, the petitioner made a representation on 29.07.2019 to the first respondent and however, till date the same was not considered by the first respondent. Hence, the petitioner has come out with the present Writ Petition.

4. The learned counsel for the petitioner would submit that it would be suffice to issue direction to the first respondent to consider the representation sent by the petitioner dated 29.07.2019 and pass orders on the same.

5. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, this Court hereby directs the first respondent to consider the representation sent by the petitioner dated 29.07.2019 and pass orders on the same on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

krk

To

1.The Chief Executive,
Perambalur Sugar Mills,
Eriyur, Perambalur District - 621 333.

2.The Principal Secretary to Government,
The Government of Tamil Nadu,
Industries (MIC.2) Department,
Secretariat, Chennai - 600 009.

+1cc to Mr.S.Rajeni Ramadass , Advocate SR.No. 90238

+1cc to Mr.R.Bala Ramesh , Advocate SR.No. 90029

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A.SK(18/12/2019)



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